



# State of Nebraska

## NEBRASKA EQUAL OPPORTUNITY COMMISSION

### NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF OCTOBER 16, 2015

Commissioner Yates called the meeting to order in Lincoln, Nebraska at 9:05 a.m. on October 16, 2015. It was established after a roll call that there was a quorum.

#### I. ROLL CALL

##### *Commissioners Present*

Kristin Yates, Chairperson  
Michael Carpenter

Arnold Nesbitt  
Royce Jeffries

##### *Staff Present*

Barbara Albers, Executive Director  
Paula Gardner, Unit Director  
Shelley Foss, Investigator III

Gretchen Eure, Unit Director  
Cat Souliere, Staff Assistant

#### II. AFFIDAVIT OF PUBLICATION

The Affidavit of Service from the Lincoln Journal Star was read to show that the public was made aware of the October 16, 2015 Commission meeting.

#### III. APPROVAL OF MINUTES

Commissioner Nesbitt moved to approve the September 18, 2015 Commission meeting minutes.

Commissioner Carpenter seconded the motion.

ROLL CALL:      Ayes:      Carpenter, Nesbitt, Yates, Jeffries  
                      Nayes:  
                      Abstained:  
                      Motion Carried

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IV. ADDITIONS OR CORRECTIONS

Under Section X. ADMINISTRATIVE ACTIONS, please add C. WITHDRAWAL  
NEB 2-15/16-7-3182-H.

Under Section XI. CONCILIATION, please add NEB 3-13/14-3-44667 and NEB 1-13/14-6-44991.

Under Section XV. BUSINESS, please add 4. Commissioner Assignment of New Public Hearing Case.

V. PUBLIC INPUT (Non Case)

Limit of 5 minutes per person for a total of a 30 minute session.  
None at this meeting.

VI. INTRODUCTION TO PUBLIC INPUT (Agenda Cases)

The cases wherein a party to the case was present were moved to the front of the agenda under Section VII. CASE DISPOSITIONS.

VII. CASE DISPOSITIONS

NEB 2-14/15-5-45662 (Respondent was present.)  
Commissioner Nesbitt moved for no reasonable cause.  
Commissioner Carpenter seconded the motion.

ROLL CALL:       Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                      Naves:  
                      Abstained:  
                      Motion Carried

NEB 1-14/15-4-45896 (Respondent was present.)  
Commissioner Nesbitt moved for no reasonable cause.  
Commissioner Jeffries \ seconded the motion.

ROLL CALL:       Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                      Naves:  
                      Abstained:  
                      Motion Carried

NEB 1-14/15-2-45593 (Respondent was present.)  
Commissioner Carpenter moved for no reasonable cause.  
Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

NEB 1-14/15-3-45839 (Respondent was present.)  
Commissioner Jeffries moved for no reasonable cause.  
Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

NEB 1-14/15-5-45923 (Respondent was present.)  
Commissioner Nesbitt moved for no reasonable cause.  
Commissioner Jeffries seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

NEB 2-14/15-3-45619 (Complainant and Respondent were present.)g  
Commissioner Nesbitt moved for no reasonable cause.  
Commissioner Jeffries seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

The Commission took a short break.

Director Albers introduced Maggie Peavy, the agency's new housing investigator.

NEB 1-14/15-12-45533  
NEB 3-14/15-11-45364  
NEB 1-14/15-3-45810  
NEB 1-13/14-6-44941  
NEB 1-14/15-5-3161-PA  
NEB 1-14/15-4-3148-PA  
NEB 2-14/15-4-3141-PA  
NEB 1-14/15-4-45879  
NEB 1-14/15-5-45940  
NEB 2-14/15-8-45065  
NEB 1-14/15-4-45880  
NEB 2-14/15-6-3174-H  
NEB 2-14/15-3-3115-H  
NEB 2-14/15-5-3163-H  
NEB 2-14/15-5-3156-H

Commissioner Yates moved for no reasonable cause on the above cases.  
Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

#### VIII. ORDER

NEB 1-14/15-5-45938

Commissioner Yates moved to vacate the administrative dismissal on the above case.  
Commissioner Carpenter \ seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

IX. SUCCESSFUL AGREEMENTS

NEB 1-15/16-7-47018

Commissioner Yates moved to adopt the agreements.  
Commissioner Carpenter seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

X. ADMINISTRATIVE ACTIONS

A. LACK OF JURISDICTION

NEB 1-14/15-5-45938

Commissioner Yates moved to administratively close the above cases based on lack of jurisdiction.  
Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

B. EEOC

NEB 1-14/15-5-45937  
NEB 1-14/15-11-45386  
NEB 1-13/14-6-44958  
NEB 2-13/14-12-44385

Commissioner Yates moved to adopt the findings of the EEOC.  
Commissioner Jeffries seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

C. WITHDRAWAL

NEB 2015/16-7-3182-H

Commissioner Yates moved to administratively close the above cases based on withdrawal by Complainant.

Commissioner Carpenter seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

XI.     CONCILIATION

NEB 3-14/15-8-45248  
NEB 1-14/15-3-3116-H  
NEB 3-13/14-3-44667  
NEB 1-13/14-6-44991

Commissioner Yates moved to adopt the recommendations of the Director of Conciliations.  
Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Carpenter, Nesbitt, Yates, Jeffries  
                          Naves:  
                          Abstained:  
                          Motion Carried

XII.    CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

None at this time.

XIII.   PUBLIC HEARING

None at this time.

XIIV.   CIVIL ACTION

None at this time.

XV. BUSINESS

1. HUD Update

Commissioner Carpenter shared his impressions from the HUD conference he attended.

2. Staff Update

Director Albers informed the Commission that the agency is again fully staffed.

3. Previous Month's Budget Reports

Commissioner Carpenter moved to approve and accept the previous month's budget reports.  
Commissioner Nesbitt seconded the motion.

Ayes: Carpenter, Nesbitt, Yates, Jeffries

ROLL CALL:

Nayes:

Abstained:

Motion Carried

4. Commissioner Assignment of New Public Hearing Case

Commissioner Nesbitt volunteered to read the transcript and report to the Commission.  
Commissioner Yates agreed to do so if Commissioner Nesbitt is unable.

XV. ADJOURNMENT

Commissioner Yates declared the October 16, 2015 Commission meeting ended at 11:18 p.m.

Commission Meeting Minutes

October 16, 2015

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Respectfully submitted,



Cat Souliere  
Staff Assistant

October 16, 2015

Date



Barbara Albers  
Executive Director

10-16-15

Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of October 16, 2015 have been corrected and accepted, and henceforth approved on this date.



Chairperson

20 NOV 2015

Date